

# Make meaning of the text – Renee Apelo – Contracts Text

Evidence	Interpretation
(what the text says)	(what you think it means)
<ul style="list-style-type: none"><li>• Fair use is common defense to infringement is called “fair use.” Fair use is a complicated doctrine which excuses use of copyrighted works without permission under certain limited circumstances. Most often, fair use involves educational or noncommercial use, parody, commentary or criticism of the work being used, or some highly transformative use. Courts evaluate at least four factors (the nature of the use, the nature of the original work, the amount of the original work used, and the effect such use if widespread would have on the market for the original), and weigh them differently depending on the situation. Also note that, contrary to common misunderstanding, it is not fair use to use materials simply because they are displayed online. Fair use is not likely to apply to most design projects (including for non-profit clients). If you believe fair use might allow you to incorporate third party materials into your work product, check with an attorney. If your client asks you to use third party content, the best practice is to get a license or have the client indemnify you against infringement claims.</li><li>• Proposal is the terms of the Proposal shall be effective for ( ) calendar days after presentation to Client. In the event this Agreement is not executed by Client within the time identified, the Proposal, together with any related terms and conditions and deliverables, may be subject to amendment, change or substitution.</li></ul>	<ul style="list-style-type: none"><li>• In US Copyright law, Fair Use is a doctrine that allows limited use of copyrighted material without permission for purposes such as criticism, comment, news reporting, teaching, scholarship, or research.</li><li>• In business law, a Proposal is essentially an offer, or a suggestion, put forward with the intention of obtaining acceptance, typically for a project, work, or the sale of goods or services, and forms the initial stage of a potential contract.</li><li>• In business law, "fees and charges" encompass payments for services rendered, including legal fees, court costs, and other expenses incurred in business transactions or legal proceedings.</li></ul>

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| <ul style="list-style-type: none"><li>• Fees and Charges in consideration of the Services to be performed by Designer, Client shall pay to Designer fees in the amounts and according to the payment schedule set forth in the Proposal, and all applicable sales, use or value added taxes, even if calculated or assessed subsequent to the payment schedule.</li></ul> |  |
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